

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#19
Walden
April 1,
2004

Applicant: V. P. Fox et al.

Art Unit: 3629

Serial No.: 09/409,831

Docket No.: EN999063

Filing Date: 09/30/1999

Examiner: Borissov, Igor N.

Title: INVOICE PROCESSING SYSTEM

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FEB - 6 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

GROUP 3600

**SUBMISSION OF COPIES OF PREVIOUSLY SUBMITTED REQUEST FOR
CONTINUED EXAMINATION, PRELIMINARY AMENDMENT
AND RESPONSE TO OFFICE ACTION OF OCTOBER 6, 2003**

Sir:

This paper is being filed in response to the Examiner's request (by telephone on January 26, 2004) to send him copies of Applicants' previously filed Request for Continued Examination, Preliminary Amendment, and Applicants' January 6, 2004 Response to the Office Action of October 6, 2003. Applicants also respectfully enclose herewith copies of the Examiner's Advisory Action mailed on July 29, 2003, and his Non-Final Office Action mailed on October 6, 2003. Applicants further respectfully submit herewith the Examiner's Non-Final Office Action mailed December 23, 2003, which they believe to be a duplicate Office Action of the Examiner's previously mailed Office Action dated October 6, 2003. Applicants respectfully state that their January 6, 2004 response addresses the Examiner's arguments listed in the duplicate Office Action mailed December 23, 2003.

During the telephone discussion of January 26, 2004, the Examiner requested that the Applicants mail to him a copy of their Preliminary Amendment which was filed with the Request for Continued Examination (RCE) on August 11, 2003, because the records of the U.S. Patent and Trademark Office do not reflect receipt of said document.

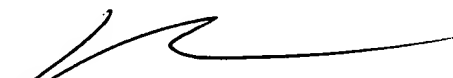
Applicants further respectfully state that they have previously faxed copies of the missing RCE and Preliminary Amendment to the Examiner on September 9, 2003 (copy attached). Applicants have also enclosed copies of file-stamped acknowledgement of receipt postcards received from the USPTO in response to their submission of said RCE and Preliminary Amendment on August 11, 2003 and Non-Final Amendment submitted on January 6, 2004.

Applicants hope that by submission of the attached previously received and submitted documents that the Examiner will have sufficient documentation to determine that his Non-Final Office Action mailed on December 23, 2003 is a duplicate document, and that he will withdraw said Office Action from response requirement.

CONCLUSION

Should the Examiner require any further clarification, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



Ronald A. D'Alessandro
Reg. No.: 42,456

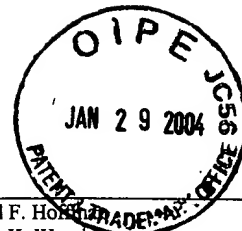
Date: January 27, 2004

Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)



HOFFMAN, WARNICK & D'ALESSANDRO LLC

Intellectual Property Law
www.hwdpatents.com



Michael F. Hoffman
Spencer K. Warnick
Ronald A. D'Alessandro

FACSIMILE TRANSMISSION

FOR: PTO Group Art Unit 3629
Examiner: IGOR N. BORISSOV

FROM: Ronald A. D'Alessandro - Reg. No. 42,456

DATE: 9/9/2003

COPY

NUMBER OF PAGES TO FOLLOW: - 15 -

DESTINATION FACSIMILE NUMBER: 703-746-8493

NOTE: Serial No.: 09/409,831
Filing Date: 09/30/1999
Docket No.: EN999063
Examiner: BORISSOV, IGOR N.
Our File: IBME-0075

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As requested, attached is a copy of the date-stamped postcard, RCE, Petition for Extension of Time, and Preliminary Amendment (in 12 pgs.) to replace the papers that are lost.

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SESSION	5975	TX	01	USPTO	SEP. 09	11:12	016	00404746"	ECM	OK
NO. NO.	FUNCTION	STATION	DATE	TIME	PAGE	DURATION	MODE	RESULT		

NAME: HOFFMAN WARNICK D ALESSANDRO LLC
TEL: 518 449 0047
DATE: SEP. 09 2003 11:16

TX RESULT REPORT



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Intellectual Property Law
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Michael F. Hoffman
Spencer K. Warnick
Ronald A. D'Alessandro

FACSIMILE TRANSMISSION

FOR: PTO Group Art Unit 3629
Examiner: IGOR N. BORISOV

FROM: Ronald A. D'Alessandro - Reg. No. 42,456

DATE: 9/9/2003

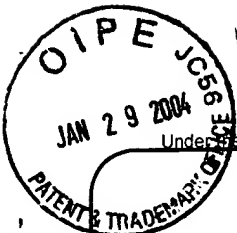
NUMBER OF PAGES TO FOLLOW: - 15 -

DESTINATION FACSIMILE NUMBER: 703-746-8493

NOTE: Serial No.: 09/409,831
Filing Date: 09/30/1999
Docket No.: EN999063
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RCE
3629

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/409,831
Filing Date	09/30/1999
First Named Inventor	V.P. Fox et al.
Art Unit	3629
Examiner Name	Borissov, Igor N.
Attorney Docket Number	EN999063

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Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

See "Remarks" below.

Remarks

SUBMISSION OF COPIES OF PREVIOUSLY SUBMITTED REQUEST FOR CONTINUED EXAMINATION, PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION OF OCTOBER 6, 2003 (with attached copies of documents as stated therein); return postcard.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	HOFFMAN, WARNICK & D'ALESSANDRO LLC, Customer No. 23550
Signature	Ronald A. D'Alessandro, Reg. No. 42,456
Date	January 27, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

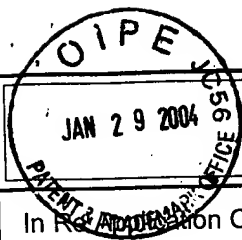
Typed or printed name	Beverly Kehoe Shea
-----------------------	--------------------

Signature

Date	January 27, 2004
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
EN999063

In Re: **Amendment Of: Fox et al.**

Serial No.
09/409,831

Filing Date
9/30/1999

Examiner
Borissov, I.

Group Art Unit
3629

Title: **INVOICE PROCESSING SYSTEM**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is: **Non-Fee Amendment in 18 pages**

1 Return Receipt Postcard

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in the above identified application.

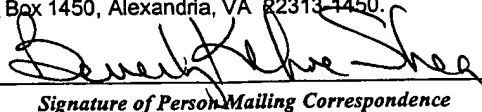
- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **09-0457(IBM)** as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: **January 6, 2004**

Ronald A. D'Alessandro
Reg. No. 42,456
Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044

I certify that this document and fee is being deposited on 1/6/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Beverly Kehoe Shea

Typed or Printed Name of Person Mailing Correspondence

CC:



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UTILITY/DESIGN PATENT
Miscellaneous

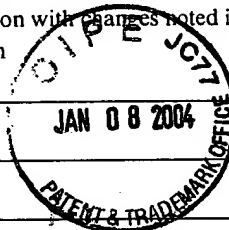
Mailing Date: January 6, 2004
Date of Office Action (if any): October 16, 2003

Received in the U.S. Patent & Trademark Office on the date stamped hereon via

☒ 1st Class Mail ☐ Express Mail Certificate No. _____

Docket # EN999063 Serial # 09/409,831 Filed 9/30/1999
Patent # _____ Issued _____
Examiner Borissov, I. Art Unit 3629
Applicant Fox, et al. Attorney RAO (TBME-0075)
Title Invoice Processing System

- | | |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Transmittal in duplicate | <input type="checkbox"/> _____ Month Extension of Time in duplicate |
| <input checked="" type="checkbox"/> Non-Fee Amendment in <u>18</u> pgs. | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> \$ _____ check for Amendment | <input type="checkbox"/> \$ _____ check for Issue Fee plus _____ copies |
| <input type="checkbox"/> Recordation Form Cover Sheet | <input type="checkbox"/> Transmittal of Information Disclosure Statement |
| <input type="checkbox"/> Assignment in _____ pgs. | <input type="checkbox"/> Information Disclosure Citation with _____ References |
| <input type="checkbox"/> \$ _____ check for Assignment | <input type="checkbox"/> Request for Corrected Filing Receipt |
| <input type="checkbox"/> Transmittal of Formal Drawings | <input type="checkbox"/> Original Filing Receipt with changes noted in red |
| <input type="checkbox"/> _____ pgs. of _____ Drawings | <input type="checkbox"/> Request for Corrected Notice of Recordation |
| <input type="checkbox"/> Submission of Proposed Drawing | <input type="checkbox"/> Original Notice of Recordation with changes noted in red |
| <input type="checkbox"/> Amendment for Approval by Examiner | <input type="checkbox"/> Fee Address Indication Form |
- ☒ return receipt postcard
- ☐ _____
- ☐ _____





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UTILITY/~~DESIGN~~ PATENT
Miscellaneous

Mailing Date: August 11, 2003
Date of Office Action (if any): 7/29/03

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Docket # EN999063 Serial # 09/409,837E Filed 9/30/1999

Patent # _____

Examiner Borissav, Igor N.

Issued _____

Applicant Fox, Vincent P. et al.

Art Unit 3629

Title Invoice Processing System

AUG 11 2003

Attorney RAD

☒ Transmittal in duplicate

☒ Month Extension of Time in duplicate

☒ Amendment in 12 pgs.

☐ Issue Fee Transmittal

☐ \$ _____ check for Amendment

☐ \$ _____ check for Issue Fee plus _____ copies

☐ Recordation Form Cover Sheet

☐ Transmittal of Information Disclosure Statement

☐ Assignment in _____ pgs.

☐ Information Disclosure Citation with _____ References

☐ \$ _____ check for Assignment

☐ Request for Corrected Filing Receipt

☐ Transmittal of Formal Drawings

☐ Original Filing Receipt with changes noted in red

☐ _____ pgs. of _____ Drawings

☐ Request for Corrected Notice of Recordation

☐ Submission of Proposed Drawing

☐ Original Notice of Recordation with changes noted in red

☐ Amendment for Approval by Examiner

☐ Fee Address Indication Form

☐ _____

☐ _____

☐ _____



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	JAN 29 2004	VINCENT P. FOX	EN999063	5935

WES/HWA

JOHN R. PRITCHNY
IBM CORPORATION DEPT
N50 BLDG 40 4
1701 NORTH STREET
ENDICOTT, NY 13760

7590

07/29/2003

A.A.

EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3629

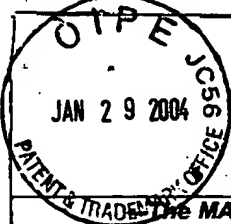
DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

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11 03 8

**Advisory Action**

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

Art Unit

3629

THE MAILING DATE of this communication appears on the cover sheet with the correspondence address -

THE REPLY FILED 11 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 03 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claim(s) would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-4 and 6-9.

Claim(s) withdrawn from consideration: _____

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8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Thomas A. Dixon
THOMAS A. DIXON
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: in response to applicant's argument regarding the publication dates of the published references: "Paying a CSO" and "Stocked Merchandise" examiner points out that as evidenced by printout from Internet Archive Waybackmachine, both references were available to the public on July 01, 1998. Examiner used the revision date as a date sufficient to predate the applicant's invention. The further evidence is given by the Internet Archive Wayackmachine that these references were also available on even earlie dates: March 29, 1997 and June 26, 1997. Applicant's argument that cited by the examiner references do not teach the invention was already fully addressed in the Final action.



Office Action Summary

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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20 130

Application Papers

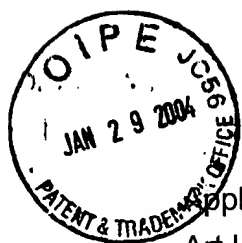
- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



Application/Control Number: 09/409,831
Art Unit: 3629

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DETAILED ACTION

GROUP 3600

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20-23 and 28 are rejected under 35 U.S.C. 112, second paragraph, as
being indefinite for failing to particularly point out and distinctly claim the subject matter
which applicant regards as the invention.

As per claims 20-23, they are confusing because claims 20-23 appear to
describe method steps while refer to a system. *nk*

As per claim 28, it is confusing because claim 28 appears to describe a computer
executable process while refer to a computer program product.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-29 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Moriyama (U. S. 4,851,999) in view of publication "Three Way Match
Requirement for All Procurement Component Payment" by Minnesota
Departments of Finance and Administration.

Moriyama teaches general-purpose management method and system, comprising:

As per claims 10, 14, 15, 21, 24 and 27,
providing one or more unmatched invoices (column 3, lines 30-51);
periodically inquiring to determine if a new goods received receipt (GRA) is present (column 3, lines 40-47);
performing logical operations (column 3, lines 40-47).

Moriyama does not specifically teach that the logical operations include performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication "Three Way Match Requirement for All Procurement Component Payment" by Minnesota Departments of Finance and Administration, which appears to be published on June 29, 1995 (hereafter referred as "Three Way Match Requirement"), teaches the three way match process comprising a logical three-way match between each invoice, one or more goods received receipts, and one or more purchase orders, and wherein said logical three-way match is performed by comparing a GRR number on each said invoice with a GRR number on said one or more GRR, a unit price on said one or more GRR with a unit price on each said invoice, and a quantity on each said invoice with a quantity on said one or more GRR, and wherein an equal comparison of either said GRR number, or said unit price, or said quantity shall constitute said match was found, including generating logical results of said three-way match (See entire reference).

Art Unit: 3629

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability, because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

Also, Moriyama teaches:

As per claims 12, 16, 22, 25 and 28, said method and system, comprising transferring a matched invoice and the logical result to the database (column 3, lines 40-47).

As per claims 13, 20, 23, 26 and 29, said method and system, comprising storing purchase orders in the database (column 3, lines 42-51).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and "Three Way Match Requirement ".

As per claim 11, Moriyama and "Three Way Match Requirement " teach all the limitations of claim 11, except for removing an unmatched invoice after a predetermined period of time.

It would have been an obvious matter of design choice at the time the invention was made to modify Moriyama and "Three Way Match Requirement " to include removing an unmatched invoice after a predetermined period of time, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Moriyama and "Three Way Match Requirement"

Art Unit: 3629

would perform the invention as claimed by the applicant either with or without removing the unmatched invoices.

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and "Three Way Match Requirement " in view of Call (U. S. 5,913,210).

As per claims 17 and 18, Moriyama and "Three Way Match Requirement " teach all the limitations of claims 17 and 18, except that said entry means are provided via EDI 850.

Call teaches a method and apparatus for disseminating product information via Internet comprising a mechanism for exchanging business documents in standard format between computers, such as Electronic Data Interchange (EDI). For example, EDI 850 purchase order transaction can be implemented (column 12, lines 1-16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and "Three Way Match Requirement " by including means for electronic entry via EDI 850, because it would decrease processing time per order and, thereby, decrease cost to operate the system.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and "Three Way Match Requirement " in view of Remington et al. (U. S. 6,070,150).

As per claim 19, Moriyama and "Three Way Match Requirement " teach all the limitations of claim 19, except that said database tool is SAP.

Art Unit: 3629

Remington et al. teach electronic bill presentment and payment system employing SAP as bill analysis and business accounting software (column 13, lines 60-67; column 14, line 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and "Three Way Match Requirement " by adding SAP as database tool because it would decrease processing time per order as well as increase the adaptability and reliability of said system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

Application/Control Number: 09/409,831

Page 7

Art Unit: 3629

(703) 872-9306 [Official communications; including After Final
communications labeled "Box AF"]

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Drive, Arlington, VA, 7th floor receptionist.

**JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**



Notice of References Cited

Application/Control No. 09/409,831	Applicant(s)/Patent Under Reexamination FOX ET AL.	
Examiner Igor Borissov	Art Unit 3629	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5475833	12-1995	Dauerer et al.	705/35
	B	US-6505215	01-2003	Kruglikov et al.	707/201
	C	US-6532480	03-2003	Boothby	707/201
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
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	J	US-			
	K	US-			
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	M	US-			

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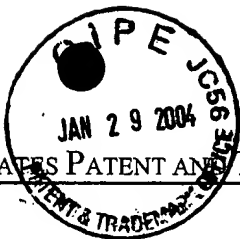
FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	V	
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	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	09/30/1999	VINCENT P. FOX	EN999063	5935

WES/HWA 7590 12/23/2003
JOHN R. FIVNICHNY
IBM CORPORATION DEPT
N50 BLDG 40 4
1701 NORTH STREET
ENDICOTT, NY 13760

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EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3629

DATE MAILED: 12/23/2003

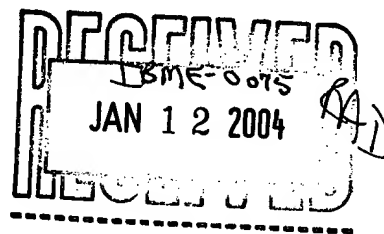
Due 3/23/04

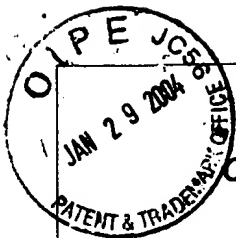
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Office Action Summary

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20-23 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 20-23, they are confusing because claims 20-23 appear to describe method steps while refer to a system.

As per claim 28, it is confusing because claim 28 appears to describe a computer executable process while refer to a computer program product.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama (U. S. 4,851,999) in view of publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration.

Moriyama teaches general-purpose management method and system, comprising:

As per claims 10, 14, 15, 21, 24 and 27,
providing one or more unmatched invoices (column 3, lines 30-51);
periodically inquiring to determine if a new goods received receipt (GRA)
is present (column 3, lines 40-47);
performing logical operations (column 3, lines 40-47).

Moriyama does not specifically teach that the logical operations include performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration, which appears to be published on June 29, 1995 (hereafter referred as Three Way Match Requirement), teaches the three way match process comprising a logical three-way match between each invoice, one or more goods received receipts, and one or more purchase orders, and wherein said logical three-way match is performed by comparing a GRR number on each said invoice with a GRR number on said one or more GRR, a unit price on said one or more GRR with a unit price on each said invoice, and a quantity on each said invoice with a quantity on said one or more GRR, and wherein an equal comparison of either said GRR number, or said unit price, or said quantity shall constitute said match was found, including generating logical results of said three-way match (See entire reference).

Art Unit: 3629

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability, because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

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Art Unit: 3629

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Art Unit: 3629

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Conclusion

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

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or faxed to:

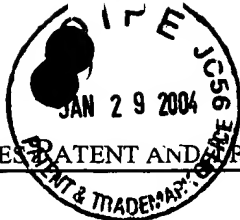
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Application/Control number: 09/409,831
Art Unit: 3629

Page 7

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JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	09/30/1999	VINCENT P. FOX	EN999063	5935

WES/HWA

7590 10/06/2003

JOHN R. PIVNICHNY
IBM CORPORATION DEPT
N50 BLDG 40 4
1701 NORTH STREET
ENDICOTT, NY 13760

EXAMINER

BORISSOV, IGOR N

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